

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JACK BRANDT,

Plaintiff,

v.

COUNTY OF ST. JOSEPH, et al.,

Defendants.

---

Case No. 1:19-cv-515

HONORABLE PAUL L. MALONEY

**ORDER ADOPTING REPORT AND RECOMMENDATION**

This lawsuit was brought to this court when Defendant removed the matter from the Calhoun County Circuit Court on June 28, 2019 (ECF No. 1). Defendant then filed a motion for summary judgment. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on February 26, 2020, recommending that this Court grant the motion in part and remand the state law claims to state court. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 21) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Motion for Summary Judgment (ECF No. 11) is GRANTED IN PART AND DENIED IN PART.

**IT IS FURTHER ORDERED** that summary judgment is GRANTED on Plaintiff's claim alleging violations of the American's with Disability Act.

**IT IS FURTHER ORDERED** that Plaintiff's state law claim(s) are REMANDED to state court.

**IT IS FURTHER ORDERED** that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. See *McGore v. Wigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Dated: March 13, 2020

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge